

**REMARKS**

Claims 1, 4-8, and 11-13 are pending in the application. Claim 9 has been canceled.

**Claim Rejections - 35 U.S.C. § 103**

(a) Claims 1, 4-6, and 11-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanai et al. (USP 5,874,012) in view of Sajoto et al. (USP 6,056,823). This rejection is respectfully traversed.

Claim 1 has been amended to include the limitations recited in claim 9, and claim 9 has been canceled.

Upon rejecting claim 9, the Examiner acknowledged that Kanai in view of Sajoto discloses all of the elements of claim 9 except that for the gas supply means is installed while passing through a hole provided in the wall surface protecting member. Therefore, the Examiner relies on the Kazuo reference and asserts that it discloses the gas supply (8, 9) means installed while passing thorough a hole/opening provided in the wall surface protecting member (7b, 71a, 71b).

Applicants submit that, in the claimed invention of the present application, a gas nozzle for supplying a gas into a chamber is installed while passing through a wall surface protecting member supported in the chamber by a point contact. The gas nozzle has a gas pipe and a nozzle tip. The gas pipe “is extended upward from lower site of the chamber within a wall of the chamber or between the wall surface protecting member and the chamber.” Further, the nozzle tip “is detachable from the gas pipe and installed while passing through a hole provided in the wall surface protecting member.”

Due the gas pipe being extended upward within the wall of the chamber or between the wall surface protecting member and the chamber, it is possible to increase the degree of freedom of the periphery of the outside of the chamber. Further, due to the nozzle tip being installed while passing through the hole in the wall surface protecting member, it is possible to minimize cleaning because the nozzle tip is only exposed while a film formation (please refer to pages 15 and 22-24 (paragraphs [0048] and [0066]-[0070] of the specification, and Figs. 4 and 5).

Kazuo discloses that a gas supply means 9 is installed while passing through a hole provided in a wall surface protecting member 7b. The gas supply means 9 is also detachable from the chamber 7b. However, the gas supply means is disposed while passing straight through not only a chamber 7a but also a chamber solenoid 10. Therefore, it is difficult to increase the degree of freedom of a periphery of the outside of the chamber 7a. Further, the gas supply means 9 has a large ring-shape portion 9a for ejecting a gas and such large portion of the gas supply means 9 is exposed while a film formation. Therefore, it is difficult to minimize cleaning (please refer to paragraphs [0021] and Fig. 1).

Therefore, even assuming that Kanai, Sajoto, and Kazuo can be combined, which Applicants do not admit, Kanai, Sajoto, and Kazuo, take singly or in combination, fail to disclose or suggest the "gas nozzle," as recited in claim 1.

Claims 4-6, and 11-13, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 7 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanai in view of Sajoto, and further in view of Shibasaki (JP 2002-222767). This rejection is respectfully traversed.

Claims 7 and 8, variously dependent on claim 1, are allowable at least for their dependency on claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanai in view of Sajoto, and further in view of Kazuo et al. (JP 07-283143). This rejection is respectfully traversed.

Claim 9 has been canceled, thus rendering this rejection moot.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi Reg. No. 40,417 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

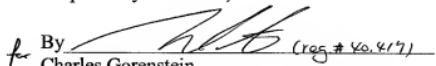
Application No. 10/582,983  
Amendment dated December 8, 2008  
Reply to Office Action of September 9, 2008

Docket No.: 0965-0472PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: December 8, 2008

Respectfully submitted,

By  (reg. # 40,417)

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